

**SHER TREMONTE LLP**

September 7, 2021

**VIA ECF**

The Honorable Cathy Seibel  
United States District Judge  
Southern District of New York  
Hon. Charles L. Brieant, Jr. United States Courthouse  
300 Quarropas Street  
White Plains, NY 10601

**Re: *Terpin v. Pinsky, et al.*,**  
Case No. 20 Civ. 3557 (CS)

Dear Judge Seibel:

We write on behalf of our client, Ellis Pinsky, to respectfully request continuance of the deadline to answer the first amended complaint and the deadline for the parties to exchange initial disclosures. This is the first request for continuance of these deadlines.

On August 30, 2021, the Court granted in part and denied in part Mr. Pinsky's motion to dismiss. Pursuant to Rule 12(a)(4)(A), Mr. Pinsky's answer is currently due on September 13, 2021. In addition, on September 3, 2021, Plaintiff filed a proposed scheduling order on behalf of both parties. That proposed order contemplates that initial disclosures pursuant to Rule 26(a)(1) will be made within 14 days of the Court's so-ordering the proposed order. In light of our upcoming trial before Judge Gardephe, we respectfully request adjournment of these two deadlines. We have spoken to Plaintiff's counsel and proposed the following deadlines, to which Plaintiff consents:

- Answer to be filed on or before October 24, 2021
- Initial disclosures to be served on or before November 1, 2021

We respectfully request that the Court so-order this schedule.

Respectfully submitted,

/s/  
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Noam Biale  
Michael Tremonte  
Mark Cuccaro  
Sher Tremonte LLP

*Attorneys for Ellis Pinsky*

cc: Opposing counsel (via ECF)